

SENATE BILL REPORT

SB 5801

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 23, 2009

Title: An act relating to basic education allocations for tribal schools.

Brief Description: Regarding basic education allocations for tribal schools.

Sponsors: Senators Kauffman, Jarrett, Sheldon, Shin and McDermott.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/12/09, 2/23/09 [DPS, DNP].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 5801 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; Hobbs, Jarrett, McDermott, Roach and Tom.

Minority Report: Do not pass.

Signed by Senators King, Ranking Minority Member; Brandland and Holmquist.

Staff: Juliana Roe (786-7438)

Background: Under current law, basic education allocation funds made available by the Legislature for use by the common schools must be distributed annually by the Office of Superintendent of Public Instruction (OSPI) to each school district of the state operating a program approved by the State Board of Education in an amount that will constitute a basic education allocation in dollars for each annual average full time equivalent student enrolled. A "school district" means the territory under the jurisdiction of a single governing board designated and referred to as the board of directors. Tribal schools are not considered school districts. Tribal schools that want state funds may contract with a local school district in order to receive such funds. The school district must report to OSPI the number of students it serves, including students from tribal schools with which it contracts. State funds are then submitted to the local school district, which in turn provides payment to the tribal school with which it contracts.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Substitute): Federally-recognized Indian tribes may choose to receive funding directly from OSPI. In order to do so, OSPI must enter into an agreement with the serving tribe, to include compliance with applicable state and federal laws. The tribes must report their student full-time equivalent served to OSPI.

OSPI is required to provide funding directly to the tribal schools using the state average basic education and vocational education rates as used in Running Start funding for community and technical colleges. Tribes must receive student achievement funding, in addition to the basic education monies. Tribal schools may choose to continue to receive allocations through a school district pursuant to an interlocal agreement.

OSPI must meet with the tribes in accordance with the Centennial Accord to develop a long-term proposal for the Washington State public education system and tribal schools.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Substitute): Allows federally-recognized Indian tribes to receive funding directly from OSPI. OSPI must enter into an agreement with the serving tribe to include compliance with applicable state and federal laws. The tribes must report their student full-time equivalent served to OSPI.

Requires OSPI to provide funding directly to the tribal schools using the state average basic education and vocational education rates as used in Running Start funding for community and technical colleges. Allows tribes to receive student achievement funding. Allows tribal schools to choose to continue to receive allocations through a school district pursuant to an interlocal agreement.

Requires OSPI to meet with the tribes in accordance with the Centennial Accord to develop a long-term proposal for the Washington State public education system and tribal schools.

Appropriation: None.

Fiscal Note: Requested on January 30, 2009.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill is intended to provide streamlining and equity for funds to be allocated to tribal schools. There are questions that have been raised that are currently being worked on. This can further the goal of leading a working, respectful relationship between the state and tribes.

CON: Tribal schools are not public schools. Therefore, they are not eligible to receive funds directly from OSPI.

Persons Testifying: PRO: Senator Kauffman, prime sponsor; Karen Condon, Miguel Perez-Gibson, Colville Tribes.

CON: Barbara Mertens, Washington Association of School Administrators.